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 Christopher Kelley (SBN 166608)
 Thomas C. Mavrakakis (SBN 177927)
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 Attorneys for Defendants AEROFLEX INC., et al.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

RICOH COMPANY LTD.,
 Plaintiff,
 v.
 AEROFLEX INC., ET AL.,
 Defendants.

) Case No. CV 03-04669 MJJ
)
) **DECLARATION OF ERIK K. MOLLER IN**
) **SUPPORT OF DEFENDANTS' MOTION**
) **REQUESTING COURT ORDER LIFTING**
) **RESTRICTIONS IMPOSED BY**
) **DELAWARE COURT ON DEPOSITION OF**
) **DR. DONALD THOMAS**
)
) Date: January 6, 2004
) Time: 9:30 a.m.
) Place: Courtroom 11, 19TH Floor

I, Erik K. Moller, hereby declare as follows:

1. I am an attorney at law licensed to practice in the State of California and an associate of the law firm of Howrey Simon Arnold & White, LLP, attorneys for defendants Aeroflex Incorporated ("Aeroflex"), AMI Semiconductor, Inc. ("AMI"), Matrox Electronic Systems Ltd. ("Matrox"), Matrox Graphics Inc. ("Matrox Graphics"), Matrox International Corp. ("Matrox Int'l"), and Matrox Tech, Inc. ("Matrox Tech") (collectively "Delaware defendants"). The matters set forth in this declaration are based upon my personal knowledge, except where otherwise indicated, and if called as a witness, I could and would testify competently thereto.

2. Attached hereto as Exhibit A is a true and correct copy of correspondence dated November 20, 2003 from Kenneth W. Brothers to Terry M. Corbin.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. This declaration was executed in Menlo Park, California on December 2, 2003.

Erik K. Moller

DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP

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Writer's Direct Dial: (202) 429-2184

E-Mail Address: BrothersK@dsmo.com

November 20, 2003

By Facsimile (650) 463-8400 and U.S. Mail

Theresa M. Corbin, Esq.

Howrey Simon Arnold & White LLP

301 Ravenswood Ave.

Menlo Park, CA 94025

Re: Ricoh Company, Ltd. v. Aeroflex et al.; Case No. C-03-4669-MJJ and
Synopsys, Inc. v. Ricoh Company, Ltd.; Case No. C-03-2289-MJJ

Dear Terry:

We have reviewed the "notice of court re order requiring deliver of documents" and supporting documents filed by your firm on behalf of the ASIC defendants. This submission fails to comply with Judge Sleet's order because it fails to provide a privilege log of the documents that were submitted in camera to the court. Please provide that log by no later than November 24.

Ricoh believes that further remedies are appropriate to ensure that neither the ASIC defendants nor Synopsys benefits from what Ricoh believes was the inappropriate conduct by Louis Campbell and Christopher Kelley in connection with Dr. Thomas. Ricoh believes that the following remedies are appropriate: (1) the preclusion of any substantive testimony from Dr. Thomas; (2) the preclusion of Messrs. Campbell and Kelley from further work on this matter; and (3) payment of Ricoh's attorneys' fees in connection with Dr. Thomas commencing on July 22, 2003. Please advise when you are available for a meet and confer on this matter

Very truly yours,


Kenneth W. Brothers

cc: Gary M. Hoffman
Edward A. Meilman
Jeffrey B. Demain

1177 Avenue of the Americas • New York, NY 10036-2714

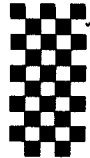
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DATE: November 20, 2003

CLIENT NO.: R2180.0171

MESSAGE TO: Teresa M. Corbin

COMPANY: Howrey Simon Arnold & White

FAX NUMBER: 650-463-8400

PHONE: 650-463-8100

FROM: Kenneth W. Brothers

PHONE: 202-429-2184

PAGES (Including Cover Sheet): 2 HARD COPY TO FOLLOW: x YES NO

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MESSAGE:

If your receipt of this transmission is in error, please notify this firm immediately by collect call to our Facsimile Department at 202-861-9106, and send the original transmission to us by return mail at the address below.

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